

Notice of Allowability

Application No.

10/064,871

Examiner

HOEY, BETSEY

Applicant(s)

CONNELLY, THOMAS V.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 26 August 2002.
2. ☒ The allowed claim(s) is/are 1-40.
3. ☒ The drawings filed on 26 August 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/26/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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1. Claims 1-40 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Claims 1-8 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a soluble fluid treating agent into a fluid body comprising a holding member for holding the treating agent selectively positionable relative to a portion of the length of a shaft member, in combination with the shaft member, an attachment portion, and base member as recited in claim 1. The closest prior art of record, Lewis, U.S. Patent No. 4,420,394 discloses a container for a treating agent comprising a moving sleeve, but the claims are not obvious over Lewis because Lewis does not suggest the specific combination of limitations recited in claim 1.

Claims 9-15 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a plurality of soluble tablets into a fluid body comprising an elevator member for holding the tablets selectively positionable relative to a portion of the length of a shaft member, in combination with the shaft member and a base member as recited in claim 9. The closest prior art of record, Lewis, U.S. Patent No. 4,420,394 discloses a container for a treating agent comprising a moving sleeve, but the claims are not obvious over Lewis because Lewis does not suggest the specific combination of limitations recited in claim 1.

Claims 16-19 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a plurality of soluble tablets into a fluid body comprising an elevator member for holding the tablets selectively positionable

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relative to a portion of the length of a shaft member, in combination with the shaft member, attachment portion and a base member as recited in claim 16. The closest prior art of record, Lewis, U.S. Patent No. 4,420,394 discloses a container for a treating agent comprising a moving sleeve, but the claims are not obvious over Lewis because Lewis does not suggest the specific combination of limitations recited in claim 1.

Claims 20-24 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a plurality of soluble tablets into a fluid body associated with a chlorinator comprising an elevator member for holding the tablets which is adjustably positionable such that any portion of tablets can be immersed within the fluid body, in combination with an attachment member which is adapted to removably receive the elevator member and is attached to the automatic chlorinator. The closest prior art of record, Lewis, U.S. Patent No. 4,420,394 discloses a container for a treating agent comprising a moving sleeve, but the claims are not obvious over Lewis because Lewis does not suggest an elevator member and attachment member arranged as recited in claim 20.

Claims 25-28 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a floatation device for feeding a plurality of soluble tablets to a fluid body comprising an elevator member for holding the tablets which is adjustably positionable such that any portion of tablets can be immersed in the fluid body, in combination with a buoyant member, body portion, cap, and base member as recited in claim 25.

Claims 29-33 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a plurality of soluble granules into a fluid body comprising a basket member for holding the granules which is selectively positionable relative to a portion of the length of a shaft member, in combination with the shaft member and a base member as recited in claim 29.

Claims 34-37 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a plurality of soluble granules into a fluid body associated with a skimmer device comprising a basket member for holding the granules which is selectively positionable relative to a portion of the length of a shaft member, in combination with the shaft member, an attachment portion, and a base member as recited in claim 34.

Claims 38 and 39 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a device for automatically feeding a plurality of soluble granules into a fluid body associated with a chlorinator comprising a basket member for holding the granules which is selectively positionable relative to a portion of the length of a shaft member, in combination with the shaft member and a base member as recited in claim 38.

Claim 40 is allowed because the prior art of record fails to teach, disclose, or fairly suggest a floatation device for feeding a plurality of soluble granules into a fluid body comprising a basket member for holding the granules which is selectively positionable relative to a portion of the length of a shaft member, in combination with the

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shaft member, a buoyant member, a body portion, and a base member as recited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Betsey Hoey whose telephone number is **(571) 272-1158**. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays from 7:30-11:30 AM. The examiner's supervisor, Mr. Blaine Copenheaver, may be reached at (571) 272-1156. Any inquiry of general nature may be directed to the Group receptionist at (571) 272-0987. The centralized fax number for the Group is (703) 872-9306. The examiner Rightfax number is (571) 273-1158.

Betsey M. Hoey
BETSEY MORRISON HOEY
PRIMARY EXAMINER
May 3, 2004